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**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.

Defendants.

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) **CIVIL ACTION FILE**
) **NO.: 1:17-cv-2989-AT**
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SUPPLEMENTAL DECLARATION OF JEANNE DUFORT

JEANNE DUFORT declares, under penalty of perjury, pursuant to 28 U.S.C. §1746, that the following is true and correct:§

1. My name is Jeanne Dufort.
2. This declaration supplements my declarations of September 10, 2018, June 17, 2019, December 16, 2019, January 14, 2020, and August 30, 2020. In addition, I gave live testimony in this case during the September 10, 2020 hearing on Plaintiffs' Motions for Preliminary Injunction.
3. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.

4. My long time practice is to vote in every election for which I am eligible, and I plan to vote in the future in all such elections.

5. I am a very active volunteer member of Coalition for Good Governance (“CGG”). I devote approximately 80 hours a month to the organization’s election and open government related activities.

6. I am a registered voter in Morgan County, and routinely attend the Morgan County Board of Elections and Registration and stay current with the issues related to the new voting system being implemented statewide. I report on every meeting to my colleagues at CGG and we frequently record the meetings as a reference point for documentation of what small counties are experiencing in conducting the election using the Dominion BMD system and PollPads.

7. One of the other volunteer duties I have assumed for CGG is to act as liaison to election board members in the region around Morgan County. We share information for the purpose of promoting improved election security and transparency. We had planned to expand this activity to include a larger group of counties, but we have not had the capacity to do so, given the demands of the Curling litigation.

8. I also frequently speak at voter education and election reform advocacy events on behalf of CGG. For example, I spoke to the Greater Atlanta Democratic Women on February 10, 2021 on behalf of CGG to better educate

participants on voter coercion and ballot secrecy concerns in rural areas and other election security information. However, we receive more invitations to educate voters and other advocacy groups than we can reasonably commit to, given the intense requirements of the Curling litigation. For example, recently, we had to decline presentations to both national, state, and regional groups, including SMART elections, Grass Roots Election Protection, and Indivisible.

9. Prior to becoming aware of the risk of using electronic devices to vote – namely that I cannot be certain my vote will be counted as cast – I routinely voted in person. As I noted in my declaration of June 17, 2019, I voted in person for the Special SPLOST election on March 19, 2019 and in the November 8, 2016 General Election.

10. As a lifelong regular voter, my preference is to vote on Election Day with my friends and neighbors in the social experience of Election Day precinct voting, benefitted by the opportunity to obtain the latest news on candidates and issues before I vote.

11. As a poll observer, in the November 3, 2020 election, I investigated a PollPad system problem that caused partial disenfranchisement of several Morgan County voters. As polls opened, the Poll Pads failed to properly encode Ballot Access cards county-wide. At the West Morgan precinct, the poll manager used her supervisor access card to bring up ballots for voters, one BMD station at a

time. For approximately 3 dozen voters, she used the wrong ballot style number – as a result the voters were not given the opportunity to vote for a Board of Education contest in which they were eligible to vote. I was not surprised that Morgan County had PollPad operational problems on Election Day as I had reviewed documentation of other counties' frequent Election Day PollPad malfunctions as part of CGG's work. The risk of inconvenience and delay caused by Election Day PollPad malfunctions is one reason that I choose to avoid voting on Election Day using the current voting system.

12. The switch from the old DRE system to the new BMD system added another risk to me for in person voting where it is required that I mark my ballot choices using the ballot marking tablet – that my ballot secrecy will be compromised. Personal observation of polling places has led me to conclude that it's likely nearby voters and poll workers will be able to view the choices I mark on the oversized ballot marking tablet, despite my best efforts to maintain privacy. As I noted in my declaration of June 17, 2019, I never want to be called on by anyone to explain my vote.

13. Morgan County, and particularly the city of Madison where both my office and the sole early voting venue are located, is a small close-knit community. I am in the residential real estate business, and have clients of varying political views. I personally know almost all of the local civic leaders and candidates for

office, and do business with some of them. While my general political views are no secret, I need to be able to keep my final political choices absolutely secret for races and ballot questions, particularly local non-partisan contests. That is extremely difficult to do using touchscreen machines in a public polling place, where people I know well are also in the polling place having easy visual access to my voting screen.

14. I am unwilling to take the risk of voting on a visible BMD where I may need to skip races or not vote my conscience if others in my polling place are monitoring my vote. My need for ballot secrecy coupled with the inability to know how what vote I'm casting if I cast a QR code vote, and the unauditable nature of the BMD system causes me to accept the inconveniences and costs of voting a mail ballot.

15. I now routinely request a mail ballot to vote as an auditable ballot, and accept the inconvenience of doing so for the benefits it affords. While I'm frustrated by the fact that Georgia law does not let permit me to vote my mail ballot on Election Day, I vote before Election Day and drive to Madison to deposit my ballot in the county's drop box. Voting at my local precinct on Election Day would require a trip of 3 miles. In contrast, it is a 20-mile roundtrip to Madison to drop off my mail ballot.

16. In my Declaration of August 30, 2020, and in my live testimony, I discussed the problems with the scanning software in detail, including the new State Election Board Rule that adjusted the top threshold setting from 35% to 20% and the lower threshold setting to 10%, to automatically count more votes without human review. After that testimony, I had the opportunity, while serving on the Morgan County Vote Review Panel for the November 3 election, to review the impact, if any, of the changes in threshold settings ordered by the Secretary of State for the on-line adjudication process for hand marked paper ballots. I observed that some valid votes were reported as “unvoted” by the Dominion software, even with the bottom scan threshold dropped from 12% to 10%.

17. In Morgan County, the new scanner settings, as anticipated, did not resolve the vote counting deficiencies for marginal marks on hand marked paper ballots.

Executed on this date, February 12, 2021.

A handwritten signature in blue ink, appearing to read "Jeanne Dufort". The signature is fluid and cursive, with a large initial "J" and a stylized "D".

Jeanne Dufort